

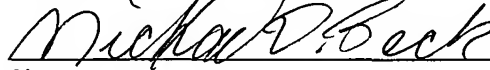
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

|                                 |   |                                |
|---------------------------------|---|--------------------------------|
| In re patent application of:    | ) |                                |
|                                 | ) | Examiner: To be Assigned       |
| Wesley D. Johnson               | ) |                                |
|                                 | ) | Group Art Unit: To be Assigned |
| Application No.: To be Assigned | ) |                                |
|                                 | ) |                                |
| Filed: June 10, 2001            | ) | Attorney Docket No.: 1842-0018 |
|                                 | ) |                                |
| For: Tissue Distraction Device  | ) |                                |

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Patent Application, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 21, 2003  
(Date of Deposit)

Michael D. Beck

Name of person mailing Document or Fee



Signature

July 21, 2003

**INFORMATION DISCLOSURE STATEMENT**

Commissioner of Patents  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 CFR §1.56, Applicant hereby discloses the following references identified on the attached Form PTO-1449 regarding the above-identified patent application. Copies of the references are attached pursuant to 37 C.F.R. § 1.56



Articles

1. Bradley, S. and Cullen J.C., "The Use of Methylmethacrylate in the Treatment of Giant Cell Tumors of the Proximal Tibia", Aust. N.Z. Surg. Vol. 49, No. 1, February 1979, (3 pages).
2. Campanacci, M., Gui, L., Rainer, L. and Savini, R., "Godoli, The Treatment of Tibial Plateau Fractures", Chi. Org. Mov. 72(3), December, 1975 (Italian text (pages 234-256) English translation.
3. Kyphon Surgical Technique Manual, 1999, (pages 5,6,9,16-19).
4. Kyphon Vertebral Treatment Notebook, date unknown, (9 pages).
5. Kyphon web page, [www.kyphon.com](http://www.kyphon.com), 3/13/2001, (2 pages).
6. AOM Techniques Manual, date unknown, (11 pages).

It is believed that no fees are due for the consideration of this Information Disclosure Statement. However, the Commissioner is hereby authorized to charge any fee deficiency or to credit any overpayment to Deposit Account No. 13-0014, but not to include any payment of issue fees.

Respectfully Submitted,

Michael D. Beck  
Attorney for Applicant  
Registration No. 32,722

July 21, 2003  
Maginot, Moore & Bowman  
Bank One Center Tower  
111 Monument Circle, Suite 3000  
Indianapolis, Indiana 46204-5115  
(317) 638-2922 phone  
(317) 638-2139 fax

|   |                                      |                                       |
|---|--------------------------------------|---------------------------------------|
| <b>FORM PTO-1449</b><br><b>INFORMATION DISCLOSURE STATEMENT</b> | <b>ATTY. DOCKET NO.</b><br>1842-0018 | <b>APPLICATION NO. To be assigned</b> |
|   | <b>APPLICANT:</b> Wesley D. Johnson  |                                       |
|   | <b>FILING DATE:</b> Herewith         | <b>GROUP:</b> To be assigned          |

| U.S. PATENT DOCUMENTS |    |                    |      |      |       |           |             |
|-----------------------|----|--------------------|------|------|-------|-----------|-------------|
| EXAMINER<br>INITIAL   |    | DOCUMENT<br>NUMBER | DATE | NAME | CLASS | SUB-CLASS | FILING DATE |
|                       | AA |                    |      |      |       |           |             |
|                       | AB |                    |      |      |       |           |             |
|                       | AC |                    |      |      |       |           |             |
|                       | AD |                    |      |      |       |           |             |
|                       | AE |                    |      |      |       |           |             |
|                       | AF |                    |      |      |       |           |             |
|                       | AG |                    |      |      |       |           |             |
|                       | AH |                    |      |      |       |           |             |
|                       | AI |                    |      |      |       |           |             |
|                       | AJ |                    |      |      |       |           |             |
|                       | AK |                    |      |      |       |           |             |

| FOREIGN PATENT DOCUMENTS |    |                    |      |         |       |           |             |
|--------------------------|----|--------------------|------|---------|-------|-----------|-------------|
| EXAMINER<br>INITIAL      |    | DOCUMENT<br>NUMBER | DATE | COUNTRY | CLASS | SUB-CLASS | TRANSLATION |
|                          | AL |                    |      |         |       |           | Yes<br>No   |
|                          | AM |                    |      |         |       |           | Yes<br>No   |
|                          | AN |                    |      |         |       |           | Yes<br>No   |
|                          | AO |                    |      |         |       |           | Yes<br>No   |
|                          | AP |                    |      |         |       |           | Yes<br>No   |

| OTHER (Including Author, Title, Date, Pertinent Pages, etc.) |    |   |   |
|--|----|---|---|
|  | AQ | 1 | Bradley, S. and Cullen J.C., "The Use of Methylmethacrylate in the Treatment of Giant Cell Tumors of the Proximal Tiba", Aust. N.Z. Surg. Vol. 49, No. 1, February 1979, (3 pages).             |
|  | AR | 1 | Campanacci, M., Gui, L., Rainer, L. and Savini, R., "Godoli, The Treatment of Tinal Plateau Fractures", Chi. Org. Mov. 72(3), December, 1975 (Italian text (pages 234-256) English translation. |
|  | AS | 1 | Kyphon Surgical Technique Manual, 1999, (pages 5,6,9,16-19).  |

|          |                 |
|----------|-----------------|
| EXAMINER | DATE CONSIDERED |
|----------|-----------------|

**EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

|   |                               |                                |
|---|-------------------------------|--------------------------------|
| FORM PTO-1449<br>INFORMATION DISCLOSURE STATEMENT | ATTY. DOCKET NO.<br>1842-0018 | APPLICATION NO. To be assigned |
|   | APPLICANT: Wesley D. Johnson  |                                |
|   | FILING DATE: Herewith         | GROUP: To be assigned          |

| EXAMINER<br>INITIAL |    | DOCUMENT<br>NUMBER | DATE | NAME | CLASS | SUB-CLASS | FILING DATE |
|---------------------|----|--------------------|------|------|-------|-----------|-------------|
|                     | BA |                    |      |      |       |           |             |
|                     | BB |                    |      |      |       |           |             |
|                     | BC |                    |      |      |       |           |             |
|                     | BD |                    |      |      |       |           |             |
|                     | BE |                    |      |      |       |           |             |
|                     | BF |                    |      |      |       |           |             |
|                     | BG |                    |      |      |       |           |             |
|                     | BH |                    |      |      |       |           |             |
|                     | BI |                    |      |      |       |           |             |
|                     | BJ |                    |      |      |       |           |             |
|                     | BK |                    |      |      |       |           |             |

## FOREIGN PATENT DOCUMENTS

| EXAMINER<br>INITIAL |    | DOCUMENT<br>NUMBER | DATE | COUNTRY | CLASS | SUB-CLASS | TRANSLATION |
|---------------------|----|--------------------|------|---------|-------|-----------|-------------|
|                     | BL |                    |      |         |       |           | Yes<br>No   |
|                     | BM |                    |      |         |       |           | Yes<br>No   |
|                     | BN |                    |      |         |       |           | Yes<br>No   |
|                     | BO |                    |      |         |       |           | Yes<br>No   |
|                     | BP |                    |      |         |       |           | Yes<br>No   |

## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

|  |    |   |   |
|--|----|---|---|
|  | BQ | 2 | Kyphon Surgical Technique Manual, 1999, (pages 5,6,9,16-19).                                |
|  | BR | 2 | Kyphon Vertebral Treatment Notebook, date unknown, (9 pages).                               |
|  | BS | 2 | Kyphon web page, <a href="http://www.kyphon.com">www.kyphon.com</a> , 3/13/2001, (2 pages). |

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|-----------------------|----|--------------------|------|------|-------|-----------|-------------|
| EXAMINER<br>INITIAL   |    | DOCUMENT<br>NUMBER | DATE | NAME | CLASS | SUB-CLASS | FILING DATE |
|                       | CA |                    |      |      |       |           |             |
|                       | CB |                    |      |      |       |           |             |
|                       | CC |                    |      |      |       |           |             |
|                       | CD |                    |      |      |       |           |             |
|                       | CE |                    |      |      |       |           |             |
|                       | CF |                    |      |      |       |           |             |
|                       | CG |                    |      |      |       |           |             |
|                       | CH |                    |      |      |       |           |             |
|                       | CI |                    |      |      |       |           |             |
|                       | CJ |                    |      |      |       |           |             |
|                       | CK |                    |      |      |       |           |             |

| FOREIGN PATENT DOCUMENTS |    |                    |      |         |       |           |             |
|--------------------------|----|--------------------|------|---------|-------|-----------|-------------|
| EXAMINER<br>INITIAL      |    | DOCUMENT<br>NUMBER | DATE | COUNTRY | CLASS | SUB-CLASS | TRANSLATION |
|                          | CL |                    |      |         |       |           | Yes<br>No   |
|                          | CM |                    |      |         |       |           | Yes<br>No   |
|                          | CN |                    |      |         |       |           | Yes<br>No   |
|                          | CO |                    |      |         |       |           | Yes<br>No   |
|                          | CP |                    |      |         |       |           | Yes<br>No   |

| OTHER (Including Author, Title, Date, Pertinent Pages, etc.) |    |          |   |
|--|----|----------|---|
|  | CQ | <u>3</u> | Kyphon web page, <a href="http://www.kyphon.com">www.kyphon.com</a> , 3/13/2001, (2 pages). |
|  | CR | <u>3</u> | AOM Techniques Manual, date unknown, (11 pages).  |
|  | CS | <u>3</u> |   |

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